

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that MULLAN & BROADWAY, LLC, a Washington Limited Liability Company, and STATE BANK NORTHWEST, and Custom 1031, Inc. Qualified Intermediary for Terry M. Frost and Marilyn G. Frost, have caused to be platted into Lots, public and private roads the land shown hereon as "THE CREEK AT CHESTER" and described as follows:

That portion of the NE 1/4 of Section 4, T. 24 N., R. 44 E.W.M. described as follows: Tract "C" of Short Plat 1322-03, per plat recorded in Book 19 of Short Plats, Pages 50 & 51; TOGETHER WITH Tract "B" and Tract "C" of Short Plat 81-176, per plat recorded in Book 2 of Short Plats, page 35 & 36; ALSO TOGETHER WITH Tract "B" and the South 92.00 feet of Tract "A" of Short Plat 83-237, per plat recorded in Book 2 of Short Plats, Page 64; Situate in the County of Spokane, State of Washington. Setbacks shall be determined at the time of building permit issuance.

Development within this subdivision shall conform to the requirements of the National Flood Insurance Program and Chapter 3.20 of the Spokane County Code (Floodplain Ordinance). Purchasers of the property within this subdivision are warned of possible flooding or ponding, and the potential requirement to purchase Flood Insurance. This warning shall be carried in each and every deed drawn to transfer ownership of any and all property within the plat in the Area of Special Flood Hazard.

WARNING: Spokane County has no responsibility to build, improve, maintain or other wise service the private roads contained within or providing service to the property described in this plat. By accepting this plat or subsequently by allowing a building permit to be issued on property on a private road, Spokane County assumes no obligation of any kind or nature whatsoever to establish, examine, survey, construct, alter, repair, improve, maintain, provide drainage or snow removal on a private road. This requirement is and shall run with the land and shall be binding upon the owner, their heirs, successors or assigns including the obligation to participate in the maintenance of the private road as provided herein.

Public sewers shall be constructed to provide for the connection of each parcel to the County's system of sewerage. Users on properties within the project shall be required to connect to the sewer and pay applicable charges per the Spokane County Sanitary Sewer Ordinance. Sewer connection permits shall be required.

The perpetual easement granted to Spokane County, its successors and assigns, is for the sole purpose of constructing, installing, operating, maintaining, repairing, altering, replacing, removing, and all other uses or purposes which are or may be related to a sewer system. Spokane County, its successors and assigns at all times hereinafter, at their own cost and expense, may remove all crops, brush, grass or trees that may interfere with the construction, installing, operating, maintaining, repairing, altering, replacing, removing and all other uses or purposes which may be related to a sewer system. The grantor(s) reserves the right to use and enjoy that property which is the subject of this easement for purposes which will not interfere with the County's full enjoyment of the rights hereby granted; provided, the Grantor(s) shall not erect or construct any building or other structure or drill on the easement, or diminish or substantially add to the ground cover over the easement. The easement described hereinabove is to and shall run with the land.

A public sewer system will be made available for the plat and individual service will be provided to each lot prior to sale. The use of individual on-site sewage disposal systems shall not be authorized.

The use of private wells and water systems is prohibited.

The public water system, pursuant to the Water Plan approved by county and state health authorities, the local fire protection district, the County Building and Planning Department and water purveyor, shall be installed within this subdivision and the applicant shall provide for individual domestic water service as well as fire protection to each lot prior to sale of each lot and prior to issuance of a building permit for each lot.

All roads are tracts and also utility and sewer easements.

The private roads and/or common areas shown on this plat are hereby dedicated to the Creek At Chester Home Owners Association created by document recorded September 6, 2013 under State UBI number 603-331-655.

The private roads and/or common areas cannot be sold or transferred, and shall be considered subservient estates for tax purposes to the other lots created herein.

The status of the areas designated as, subservient estates for tax purposes cannot be changed without filing a replat.

The private roads, shown hereon, are easements which provide a means of ingress and egress for those lots within the Plat having frontage thereon.

The County of Spokane is hereby granted the right of ingress and egress to all private roads, common areas and/or drainage easements.

The private roads and drainage easements are subject to the separate DECLARATION OF COVENANT as recorded the sixth of September 2013 under Auditor's Document No. 6245715 which by reference is made a part hereof.

Drainage easements, as platted and shown hereon, which are for the purpose of conveying and storing stormwater runoff, and for installing, operating and maintaining drainage ponds and drainage facilities which dispose of and treat stormwater runoff, are hereby granted to Spokane County and the Creek at Chester Home Owners Association.

Tracts A, C, and E are hereby dedicated to the Creek at Chester Home Owners Association for the purpose of conveying and storing stormwater runoff, and for installing, operating and maintaining drainage ponds and drainage facilities that dispose of and treat stormwater runoff. The right to ingress/egress is granted to Spokane County over all tracts for inspection and emergency maintenance of the stormwater facilities.

Basements are prohibited on this plat without a lot specific geotechnical report with basement design recommendations accompanying the residential building permit.

Spokane County and its authorized agents are hereby granted the right to ingress and egress to, over and from all public and private drainage easements and Tracts for the purposes of inspection and emergency maintenance of drainage swales, ponds, ditches, culverts and other drainage facilities, if not properly maintained by the property owner or the Creek at Chester Home Owners Association, Spokane County does not accept the responsibility to inspect or maintain any drainage facilities and/or structures located outside of public rights-of-way, except in cases where Spokane County specifically assumes that responsibility in writing. Neither does Spokane County accept any liability for any failure by the property owner(s) to properly maintain such areas.

The property owners within this plat shall be held responsible for keeping open and maintaining the surface path of natural or man-made drainage flow over and across their respective properties. If the property owners fail to maintain the surface path of natural or man-made drainage flow, or drainage facilities on private properties, a notice of such failure may be given to the property owner. If not corrected within the period indicated on said notice, Spokane County has the right to correct the maintenance failure, or have it corrected, at the expense of the property owner.

Spokane County does not accept the responsibility of maintaining the drainage course on private lots or floodplain areas within private lots, nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of drainage courses in drainage easements on private property.

Any building that is constructed on a lot in this plat shall be set at such an elevation so as to provide positive drainage away from any drainage entry point to the building (including but not limited to a window well, a window unprotected by a window well, or a doorway). Said positive drainage shall meet the minimum requirements as set forth in the current building code. The lots shall be graded so that either a) all runoff is routed away from the building, and conveyed over the lot to a natural drainage swale or approved drainage facility, or b) drainage intercepted on the lot is disposed of on the lot in an approved drainage facility. All drainage facilities for this plat, including any '208' swales, shall be constructed in accordance with the accepted plans on file at the Spokane County Engineer's Office. Any proposed changes to the accepted road and drainage plans must be accepted by the Spokane County Engineer's Office prior to construction of said changes.

There may exist properties located uphill and adjacent to this subdivision which periodically discharge stormwater runoff onto individual lots within this plat. Stormwater runoff from nearby uphill properties should be expected, and during snow melt periods or wet seasons the lots may be subjected to higher amounts of stormwater runoff that what is normally observed or anticipated. Because stormwater runoff from adjacent properties has discharged onto this plat prior to development, stormwater runoff will likely continue to do so after development.

If groundwater or mottled soil is encountered during basement excavation, it is Spokane County's recommendation that protective measures that meet the requirements of the current building code, with respect to dampproofing and waterproofing, be implemented as a part of the basement foundation construction.

The property owners within this plat shall maintain all natural drainage channels, drainage ditches, and water quality swales ('208' swales) situated on their respective properties, and any portion of a '208' swale situated in a public right-of-way adjacent to their respective properties, with a permanent ground cover as specified in the currently accepted plans on file at Spokane County's Engineer's Office. No structures, including fences, shall be constructed directly over or within a '208' swale without the expressed written consent of the Spokane County Engineer. Property owner(s) maintenance responsibilities shall include, but is not limited to mowing, irrigating, and keeping the area free of debris.

The Creek at Chester Home Owners Association or its successors in interest shall maintain all drainage facilities, located in common areas, easements, and tracts in conformance with the accepted plans and the Operations and Maintenance Manual as prepared by Simpson Engineers, both of which are on file at the Spokane County's Engineer's Office. Maintenance of drainage facilities includes, but is not limited to, keeping open and cleaning stormwater pipes, structures, ditches, drainage ponds, swales; replacement of drainage facilities as needed; and maintaining live native-type dryland grasses or lawn turf in the pond facilities located in common areas or tracts, with optional shrubbery and/or trees, which do not obstruct the flow and percolation of storm drainage water in the drainage swale as indicated by the accepted plans. The Creek at Chester Home Owners Association is also responsible for removing and disposing of the soils and grass sod located in drainage facilities situated within easements on private lots at such time Spokane County deems necessary, and replacing the soil and grass sod. The Creek at Chester Home Owners Association shall be responsible for payment of all claims and other liabilities which may become due for said maintenance responsibilities.

If the Creek at Chester Home Owners Association, or their successors in interest, fail to maintain the drainage facilities in conformance with the accepted drainage plans and the Operations and Maintenance Manual, on file at the Spokane County Engineer's Office, a notice of such failure may be given to the Creek at Chester Home Owners Association, or their successors in interest, by the County Engineer. If not corrected within the period indicated on said notice, Spokane County has the right to correct the maintenance failure, or have it corrected, at the expense of the Creek at Chester Home Owners Association, or their successors in interest.

Should the Creek at Chester Home Owners Association be terminated for any reason, the successors in interest shall be the individual lot owners, or their successors in interest, who are members of the Creek at Chester Home Owners Association at the time of said termination. The successors in interest shall share equally in the responsibility and cost of maintaining said drainage facilities.

The tracts and common areas cannot be sold or transferred and shall be considered subservient estates for tax purposes to the other lots created herein. The status of the areas designated as subservient estates for tax purposes cannot be changed without filing a replat.

The developer, property owners, and homeowners' association waive any and all claims for damages against any governmental authority arising from the construction, ownership or maintenance of public facilities. This waiver includes claims of any nature, including but not limited to person and real property damages as well as any inverse condemnation claims.

This covenant and agreement shall run with the land in perpetuity, and shall be binding upon the owner, their heirs, successors and assigns, including the obligation to participate in the maintenance of the drainage facilities as provided herein.

Utility easements shown on the herein described plat are hereby dedicated for the use of serving utility companies for the construction, reconstruction, maintenance, protection, inspection and operation of their respective facilities, together with the right to prohibit changes in grade that will reduce the existing coverage over installed underground facilities and the right to trim and/or remove trees, bushes, landscaping and to prohibit structures that may interfere with the construction, reconstruction, reliability, maintenance and safe operation of same.

The site contains a wetland. Any uses within the wetland and wetland buffer area shall comply with the Spokane County Critical Areas Ordinance, as amended.

The Border Easement as shown hereon are hereby granted to Spokane County and its authorized agents, and to the Public for road purposes, including but not limited to curbs, sidewalks, drainage, signage, and other usage deemed necessary by the Spokane County Engineer for the safety and welfare of the Public. No fence or portion thereof will be constructed within said easement without permission of the Spokane County Engineer, nor will any objects be placed in said easement that would obstruct the sight distance necessary for safe and efficient vehicular movement. Any other easements granted or dedicated within this Border Easement area will be subordinate to the rights created by this easement and are subject to Spokane County Engineers permit process prior to usage.

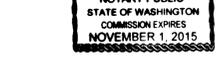
Easements for "dry" utilities (electric, gas, phone, fiber, cable tv, as shown on the herein described plat, are hereby dedicated for the use of serving utility companies for the construction, maintenance, protection, inspection and operation of their respective facilities, together with the right to prohibit changes in grade over installed underground facilities and the right to prohibit, trim and/or remove trees, bushes, landscaping without compensation and to prohibit brick, rock or masonry structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same, storm drain, dry wells and water meter boxes shall not be placed within the "dry" easements; however, lateral crossings by storm drain, water and sewer lines are permitted, serving utilities also reserve the right to cross and occupy private roads and maintenance easements.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 27th day of September, 2013. Custom 1031, Inc, Qualified Intermediary for Terry M. Frost and Marilyn G. Frost

ACKNOWLEDGMENT STATE OF WASHINGTON) SS COUNTY OF SPOKANE ) On this 27th day of September, 2013 before me personally appeared Custom 1031, Inc. known to be the Qualified Intermediary for Terry M. Frost and Marilyn G. Frost, as the individual who executed the within and foregoing instrument and acknowledged the same to be his free and voluntary act and deed for the uses and purposes herein mentioned. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written. My commission expires Notary Public in and for the State of Washington Residing at

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 10th day of September, 2013. STATE BANK NORTHWEST

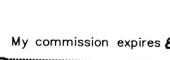
ACKNOWLEDGMENT STATE OF WASHINGTON) SS COUNTY OF SPOKANE ) On this 10th day of September 2013 before me personally appeared Nicole Fisher known to be the CFO of State Bank Northwest, as the individual who executed the within and foregoing instrument and acknowledged the same to be his free and voluntary act and deed for the uses and purposes herein mentioned. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written. My commission expires 11-1-15 Notary Public in and for the State of Washington Residing at Fairfield, Washington



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 10th day of September, 2013. Michael Silvey MULLAN & BROADWAY, LLC MICHAEL SILVEY, MANAGING MEMBER

ACKNOWLEDGMENT STATE OF WASHINGTON) SS COUNTY OF SPOKANE ) On this 10th day of September 2013 before me personally appeared Michael Silvey, known to be the Managing Member, of Mullan & Broadway, LLC, as the individual who executed the within and foregoing instrument and acknowledged the same to be his free and voluntary act and deed for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written. My commission expires 8/8/2017 Notary Public in and for the State of Washington Residing at Spokane, Washington



ACKNOWLEDGMENT STATE OF WASHINGTON) SS COUNTY OF SPOKANE ) On this 10th day of September 2013 before me personally appeared Charles E. Simpson, known to be the Professional Engineer and Land Surveyor, as the individual who executed the within and foregoing instrument and acknowledged the same to be his free and voluntary act and deed for the uses and purposes herein mentioned.

SURVEYOR'S CERTIFICATE This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Spokane County Subdivision Ordinance. Charles E. Simpson Charles E. Simpson P.E. & P.L.S. #9967 Professional Engineer and Land Surveyor



AUDITOR'S CERTIFICATE

Filed for record this 17th day of September 2013, at 2:44 P.M. in Book 37 of Plats on Page 12 at the request of MULLAN & BROADWAY LLC. Spokane County Auditor

PLAT # 4154

COUNTY OFFICIALS

SPOKANE COUNTY DIVISION OF ENGINEERING AND ROADS Examined and approved this 13th day of September, 2013. Spokane County Engineer

SPOKANE COUNTY DIVISION OF UTILITIES Examined and approved this 11th day of September, 2013. Spokane County Utilities

SPOKANE COUNTY ASSESSOR Examined and approved this 17 day of September, 2013. Spokane County Assessor

SPOKANE REGIONAL HEALTH DISTRICT Examined and approved this 17th day of September 2013. Spokane Regional Health Officer

SPOKANE COUNTY DEPARTMENT OF BUILDING AND PLANNING Examined and approved this 17th day of September, 2013. Spokane County Department of Building and Planning

SPOKANE COUNTY TREASURER I, Treasurer of Spokane County, Washington, do hereby certify that all taxes which have been levied and become chargeable against the land shown within this map and described in the dedication of this date, have been fully paid, satisfied, and discharged. Dated this 17 day of September, 2013. Spokane County Treasurer

SPOKANE COUNTY COMMISSIONERS This Plat was approved and accepted by the County Commissioners of Spokane County, Washington on this 17th day of September, 2013. Commissioners Chairperson



THE CREEK AT CHESTER

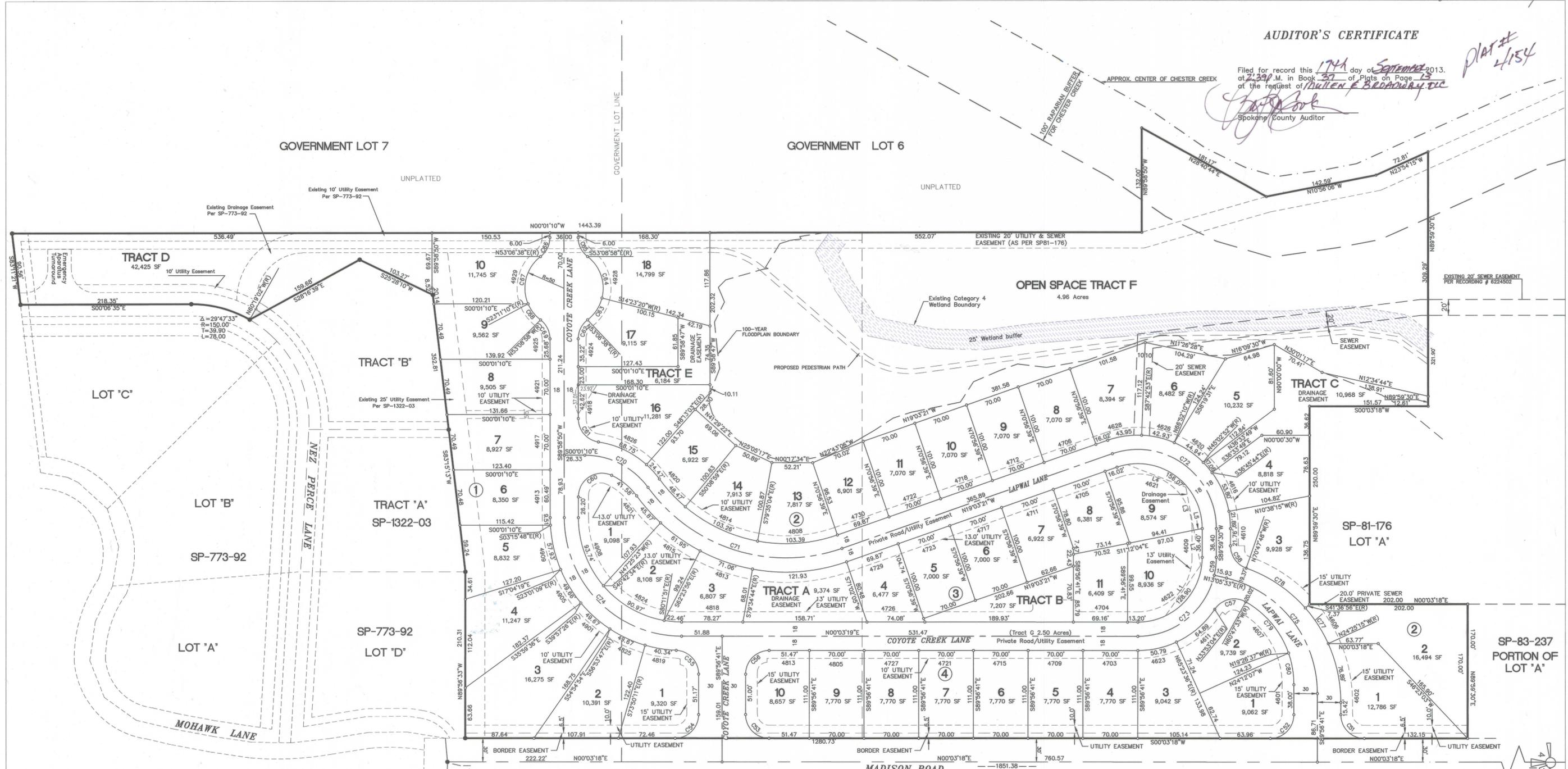
PE-1997-07 A PLAT IN A PORTION OF THE NE 1/4 OF SECTION 4, T.24 N., R.44 E.W.M. SPOKANE COUNTY, WASHINGTON SHEET 1 OF 2

Founded 1946 Simpson Engineers, Inc. CIVIL ENGINEERS & LAND SURVEYORS N. 909 ARGONNE ROAD, SPOKANE VALLEY WA., 99212-2789 PHONE (509) 926-1322 FAX (509) 926-1323

AUDITOR'S CERTIFICATE

Filed for record this 17th day of September 2013, at 2:29 P.M. in Book 37 of Plats on Page 13 at the request of HULLEN & BROADWAY, INC.  
 Spokane County Auditor

PLAT # 4154



LEGEND

- = Set 1/2" rebar cap No. 9967
- = Found 1/2" rebar cap No. 9967 or as noted
- = Subdivision Boundary
- - - = Border Easement
- - - = Utility Easement
- - - = Centerline Street

BASIS OF BEARING

The Bearing of N00°01'10"W, along the West line of SP 1322-03, as recorded in Book 19 of Short Plats, pages 50 and 51, was used as the Basis of Bearing for this Subdivision.

EQUIPMENT & PROCEDURE

This survey was performed using a Nikon DTM-520 Total Station and Javad RTK Global Positioning System. The Field Traverse methods used are in conformance with WAC 332-130-090 and RCW 58.09.

SURVEYOR'S CERTIFICATE

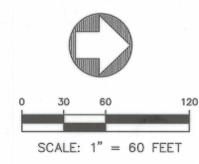
This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Spokane County Subdivision Ordinance.

Charles E. Simpson  
 Charles E. Simpson P.E. & P.L.S. #9967  
 Professional Engineer and Land Surveyor



LINE	LENGTH	BEARING
L1	78.18	N54°57'23"W
L2	45.26	S79°11'41"W
L3	55.18	S79°11'41"W
L4	80.20	S20°58'30"W
L5	10.76	S11°20'4"E

CURVE	LENGTH	RADIUS	DELTA	TANGENT
C51	47.12	30.00	90°00'01"	30.00
C52	47.12	30.00	89°59'59"	30.00
C53	47.12	30.00	90°00'01"	30.00
C54	47.12	30.00	89°59'59"	30.00
C55	45.89	30.00	87°39'01"	28.79
C56	47.12	30.00	90°00'00"	30.00
C57	44.68	30.00	85°19'23"	27.65
C58	37.06	30.00	70°47'18"	21.32
C59	22.87	100.00	13°06'03"	11.48
C60	60.02	30.00	114°38'04"	46.76
C61	42.71	30.00	81°34'43"	25.89
C62	27.82	30.00	53°07'48"	15.00
C63	33.79	50.00	38°43'18"	17.57
C64	58.94	50.00	67°32'18"	33.43
C65	27.82	30.00	53°07'48"	15.00
C66	27.82	30.00	53°07'48"	15.00
C67	66.56	50.00	76°17'48"	39.27
C68	26.15	50.00	29°57'48"	13.38
C69	27.82	30.00	53°07'48"	15.00
C70	93.70	100.00	53°41'06"	50.61
C71	277.96	219.00	72°43'17"	161.23
C72	190.32	100.00	109°02'51"	140.32
C73	134.33	100.00	76°37'46"	79.49
C74	235.42	150.00	89°35'31"	149.80
C75	201.49	150.00	76°57'46"	119.24
C76	80.91	180.00	25°45'16"	41.15
C77	54.02	180.00	17°11'41"	27.21
C78	81.68	180.00	29°10'52"	46.85
C79	86.60	120.00	41°20'56"	45.28
C80	40.84	120.00	18°29'56"	20.62



THE CREEK AT CHESTER

PE-1997-07  
 A PLAT IN A PORTION OF  
 THE NE 1/4 OF SECTION 4, T.24 N., R.44 E.W.M.  
 SPOKANE COUNTY, WASHINGTON  
 SHEET 2 OF 2

Founded 1946  
**Simpson Engineers, Inc.**  
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